D.B. CIVIL SPECIAL APPEAL (WRIT) NO.457/2007
(Smt. Patience @ Asha pandya Vs. Smt. Milicent Patrick & Ors.)

Date:- 02.05.2007

HON'BLE MR. RAJESH BALIA,J.
HON'BLE MR. BHANWAROO KHAN,J.

Mr. R.S.Mankad, for the appellant.

Having heard learned counsel for the appellant, we do not find any merit in this appeal.

The appellant had sought to produce certain documents at the stage of final arguments after plaintiff had finished their arguments. The trial court has refused to take those documents on record at that stage. The order was challenged by way of writ petition. The learned Single Judge has declined to interfere the matter. However, it will be open to the appellant to assail correctness, legality or propriety of the impugned order by setting forth appropriate ground in appeal if necessity so if so required at the appellate stage. Apparently, there is no error in the order passed by the learned Single Judge which may call for interference.

The appeal fails and is hereby dismissed.

(BHANWAROO KHAN),J. (RAJESH BALIA),J.